

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

EDWARD J. NICHOLS, Petitioner,)
) C.A. No. 06-119 Erie
 v.) District Judge McLaughlin
JOHN DOE 9-26-1997, et al.,) Magistrate Judge Baxter
) Respondents)

O R D E R

On May 18, 2006, Petitioner, a state prisoner appearing *pro se*, filed the instant petition for writ of habeas corpus. This matter was assigned to United States District Judge Sean J. McLaughlin and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On May 22, 2006, Magistrate Judge Baxter issued a Report and Recommendation recommending that this case be transferred to the Middle District of Pennsylvania. Document # 2.

No objections have been filed.

AND NOW, this 20th day of June, 2006;

Following a *de novo* review of the record in this case, IT IS HEREBY ORDERED that the Report and Recommendation by Magistrate Judge Baxter is adopted as the opinion of this Court. This case is hereby transferred to the Middle District of Pennsylvania.

IT IS FURTHER ORDERED that the Clerk of Courts close this case. Although motions

are presently pending in this case, the transferee court is in the best position to decide them.

S/ Sean J. McLaughlin
SEAN J. MCLAUGHLIN
UNITED STATES DISTRICT JUDGE